

From: Dennis Santoro
To: Microsoft ATR,attorney.general@po.state.ct.us@inet...
Date: 1/3/02 10:55am
Subject: Comments regarding the 2 proposed settlements in the Microsoft cases

To the Department of Justice and the States Attorneys General,

I am writing in submission of comment regarding your proposed settlements in the 2 cases regarding Microsoft corp. I beleive I am entitled to submit comments as per the Tunney act of 1974 and wish you to consider the below as public comment on the cases.

With regard to the proposed settlement in the antitrust case, unless the remedy actually addresses a consumer's ability to buy any computer from any manufacturer with a choice of any OS (Linux, Unix, Windows) preconfigured on the machine and MS is prohibited from using its market position to make that difficult or to impose penalties on manufactures who wish to do so, MS's position and behavior will not be changed. No remedy that fails to address this issue will be successful.

Further, similar measures should be enacted to address bundling of productivity software (office suites) to allow competition form Corel, Star Office, IBM (Lotus) and others. The fact that purchasers have only the MS office suite as a choice in most cases (as per terms usually included in the Windows OEM license) means that most other suite vendors are precluded from much business de facto.

The bundling issue should also be addressed but, in my opinion, with the exception of the browser and e-mail client choices, most of the rest is a non issue. But MS should not be allowed to further bundle IE and Outlook unless other choices are also provided and the APIs are sufficeintly published and documented so that other competitors can easily offer seamless integration.

All remedies should be monitored and enforced by a group actually capable of doing so. MS has proved by past behavior that they are untrustworthy in terms of following the letter or spirit of agreements they enter into. Penalties should be clear, easy to exercise and easy to trigger. The proposed settlement does none of that. Nor will simply requiring MS to provide a stripped down version of Windows.

Furhter, MS's attempt to become the arbitor of identity on the internet (Passport) should be precluded so that MS cna not extend their monopoly to the internet itself using the strength of their current monopoly.

As for the consumer suit, while the fund amount and it's distribution to schools is quite appropriate, these funds should be given without restriction. MS should have no input into the spending of these funds. Schools should be able to use these funds for infrastructure (wiring,

PCs) software from ANY vendor, OSs from Apple, Linux vendors, Sun, or MS, etc. These funds should be placed in the hands of a group that can not, and will not, be connected to nor influenced by MS. MS should not have any representatives on the board responsible for the funds. It should be made up of credible education professionals and computer professionals unaffiliated with vendors and manufacturers. The charge to the board should be to help schools meet the needs the schools believe they have in the best way possible for the school in question. It should NOT be for the purpose of promoting MS products in the schools.

Thank you for your attention and feel free to contact me if you have any questions.

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Providing solutions to health care, business, governments and non-profits since 1982